



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jim Green, Project Manager

Public Notice Date: October 26, 2005
Expiration Date: November 26, 2005
Reference: 200501107
Name: BNSF Railway Company

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Burlington Northern Santa Fe (BNSF) Railway Company
4515 Kansas Avenue
Kansas City, Kansas 66106-1199
ATTN: Ron Berry
Telephone: (913) 551-4163

AGENT: Washington State Department of Transportation
Post Office Box 1709
Vancouver, Washington 98668-1709
ATTN: Becky Michaliszyn
Telephone: (360) 905-2174

LOCATION: In the Bonneville Pool of the Columbia River (River Mile 161.0) near Stevenson, Skamania County, Washington. The project area is located in the northeast quarter of Section 33, Township 3 North, Range 9 East.

WORK: Dredge up to 2,000 cubic yards of rock, sediment, and woody material and dispose the dredged material in the 0.16-acre (ac) disposal area located several hundred feet downstream of the dredging area.

ADDITIONAL INFORMATION: The outlet of the culvert conveys the flow of Dog Creek under State Route 14 and the BNSF railway track into the Columbia River (Sheets 1 through 4 of 4) and is partially blocked with accumulated sediment. The 8-foot-wide, flat-bottom corrugated steel culvert, which was constructed about the same time as Bonneville Dam, is wholly inundated by the Bonneville Pool. The culvert protrudes from the base of a steep, heavily rock-armored railroad embankment. The 0.14-ac dredging area extends approximately 50 feet outward from the riverbank and 120 feet along the riverbank. Material would be excavated by a barge-mounted trackhoe to a depth of six to nine feet below normal pool elevation. At the request of several natural resource agencies, the BNSF would keep this material in the river system and has identified a suitable in-river disposal area. Water depths in the disposal area range from 8 to 15 feet at normal pool elevation. That resulting water depths would range from three to six feet below normal pool elevation, which is expected to provide more productive habitat for a range of aquatic species.

PURPOSE: To restore flow through a culvert and create in-river habitat.

DREDGED MATERIAL EVALUATION – The U.S. Army Corps of Engineers (Corps) Dredged Material Management Office will review this application. If sediment evaluation is required, no unconfined open-water disposal would be authorized until the material to be dredged has been determined to be suitable for open-water disposal by the regulatory agencies. Sediment evaluations would be conducted in accordance with “Dredged Material Evaluation Framework, Lower Columbia River Management Area,” dated November 1998. This framework was developed by the regulatory agencies that have jurisdiction over dredged material disposal in open waters of Lower Columbia River Management Area. Dredged material evaluations may include both chemical and biological testing.

MITIGATION: None proposed.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on any action that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or the designated critical habitat of a listed species. The following species and designated critical habitat may occur in the project area:

Species/ESU/DPS	Status ¹	Critical Habitat ²
bull trout, Columbia River (<i>Oncorhynchus tshawytscha</i>)	T	
chinook, lower Columbia River (<i>O. tshawytscha</i>)	T	D
chinook, upper Columbia River spring (<i>O. tshawytscha</i>)	E	D
chinook, Snake River fall (<i>O. tshawytscha</i>)	T	D
chinook, Snake River spring/summer (<i>O. tshawytscha</i>)	T	D
chum, Columbia River (<i>O. keta</i>)	T	D
coho, Lower Columbia River (<i>O. kisutch</i>)	T	
sockeye, Snake River (<i>O. nerka</i>)	E	D
steelhead, lower Columbia River (<i>O. mykiss</i>)	T	D
steelhead, middle Columbia River (<i>O. mykiss</i>)	T	D
steelhead, upper Columbia River (<i>O. mykiss</i>)	E	D
steelhead, Snake River (<i>O. mykiss</i>)	T	D
bald eagle (<i>Haliaeetus leucocephalus</i>)	T	
Northern spotted owl (<i>Strix occidentalis caurina</i>)	T	D

¹ ESA status in the State of Washington: (E)ndangered, (T)hreatened, (P)roposed, or (C)andidate

² Critical Habitat: (D)esignated or (P)roposed

The Corps has made a preliminary determination that the activity may affect ESA-listed species and designated critical habitat and will initiate consultation under Section 7 of the ESA with the NMFS and USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 0.3 ac of EFH for Pacific

salmon in the project area. If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by, and coordination with, the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. Historic properties are known to occur in the vicinity of the proposed project but not in the permit area. The proposed work is of such a nature and extent that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]) with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternative analysis for any proposed discharge of dredged or fill material into waters of the United States.

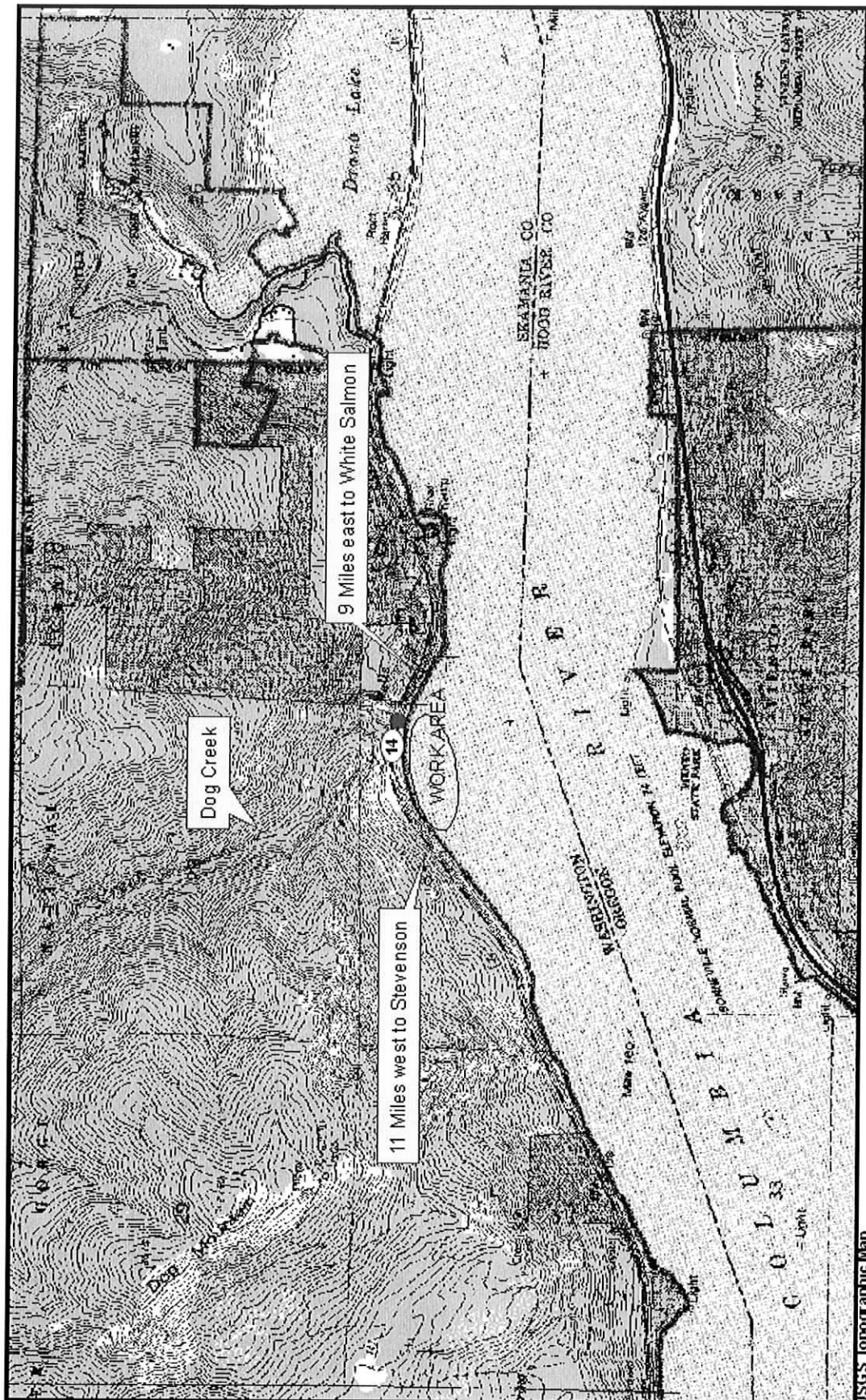
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

200501107

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

BNSF Railway Company, 200501107

Encl
Drawings (4)



VICINITY MAP

DOG CREEK CULVERT DRAINAGE MAINTENANCE

SR 14 MP 55.72

Klickitat County, WA

Lat: N 45 42' 36" Long: W 121 40' 12"

Legend

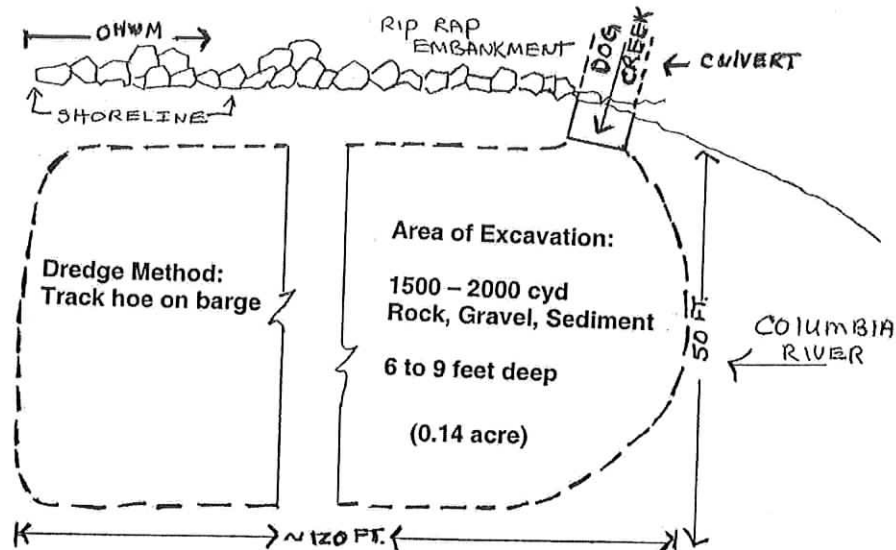
SHEET 1 OF 4



DOG CREEK CULVERT DRAINAGE MAINTENANCE PLAN VIEW

LANDOWNER: USFS (North of railroad tracks, including SR 14.)

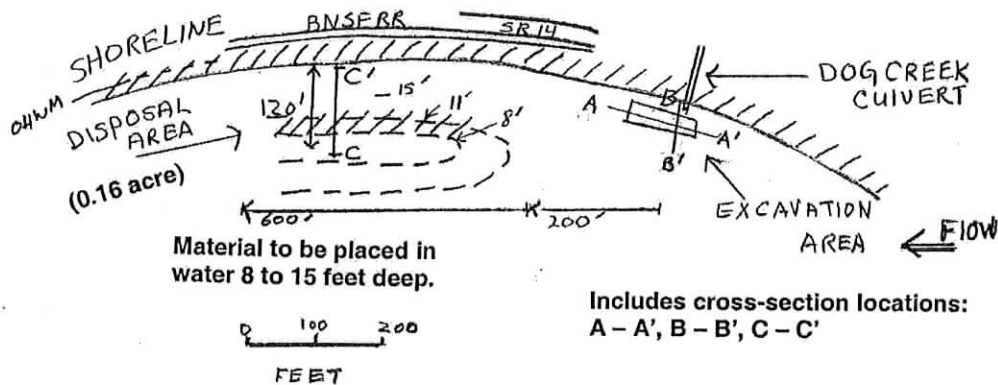
Excavation Area



LANDOWNER: BNSF (South from SR 14 for 150 feet.) Then WA DNR to center of river.



Disposal Area

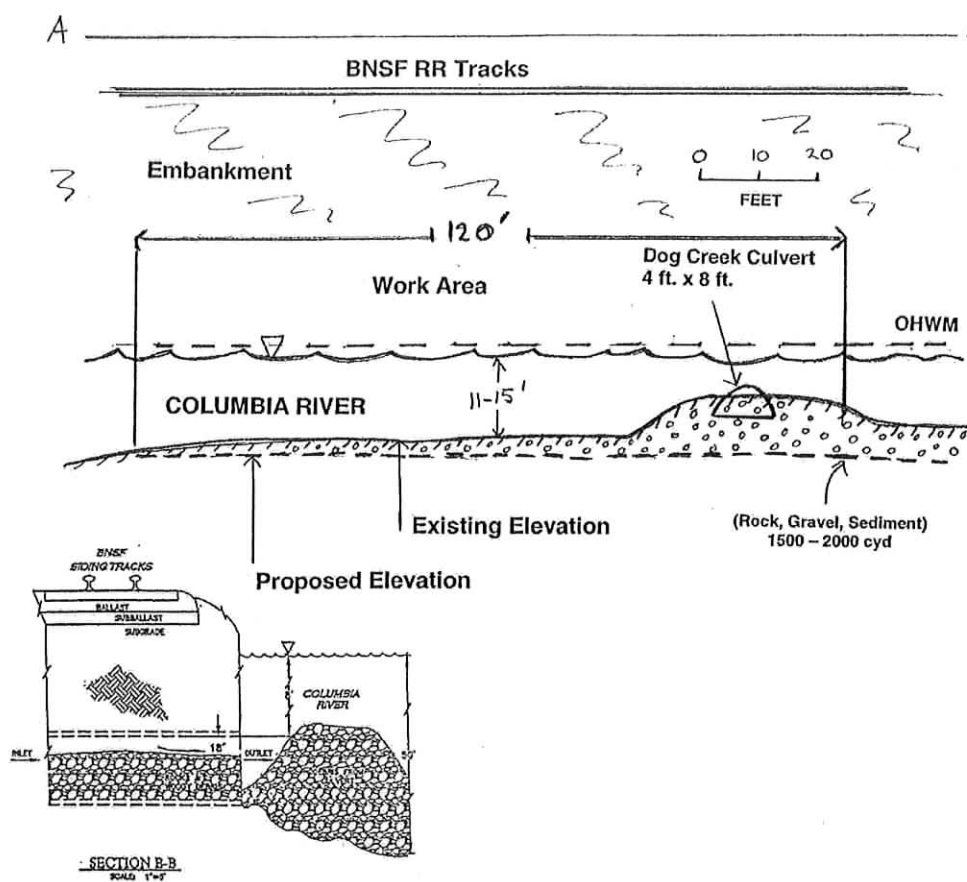


Includes cross-section locations:
A - A', B - B', C - C'

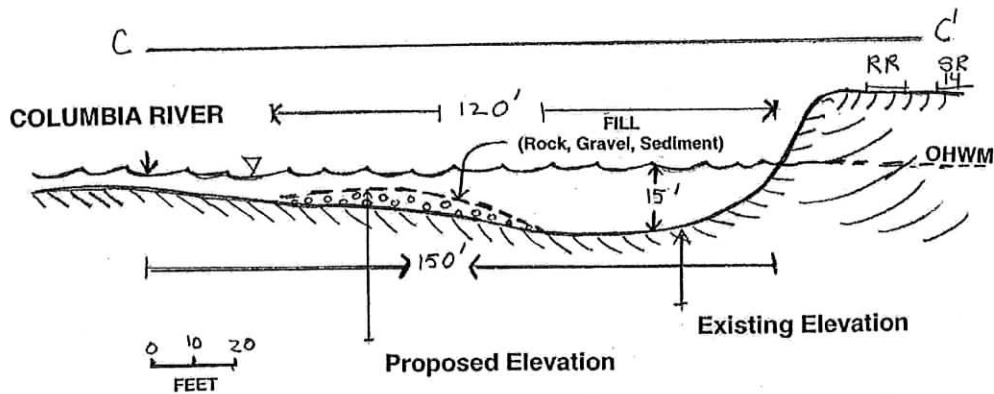
PURPOSE: Restore flow to culvert.	APPLICANT: BNSF Railway	PROPOSED: Dredge 1500 to 2000 cyds rock, gravel, and sediment from bar in front of culvert and redeposit material downriver.
DATUM:	LOCATION ADDRESS:	IN: Columbia River
ADJACENT PROPERTY OWNERS:	SR 14 MP 55.72	NEAR/AT: Dog Creek
1. USFS	NE Sec. 33, T3N, R9E	DATE: 9-20-2005
2. WA DNR	Lat: N 45 42' 36"	
	Long: W 121 40' 12"	

DOG CREEK CULVERT DRAINAGE MAINTENANCE CROSS-SECTION VIEWS

Excavation Area



Disposal Area



Fill placed by track hoe on barge.

<p>PURPOSE: Restore flow to culvert.</p> <p>DATUM:</p> <p>ADJACENT PROPERTY OWNERS:</p> <p>1. USFS 2. WA DNR</p>	<p>APPLICANT: BNSF Railway</p> <p>LOCATION ADDRESS:</p> <p>SR 14 MP 55.72 NE Sec. 33, T3N, R9E Lat: N 45 42' 36" Long: W 121 40' 12"</p>	<p>PROPOSED: Dredge 1500 to 2000 cyds rock, gravel, and sediment from bar in front of culvert and redeposit material downriver.</p> <p>IN: Columbia River</p> <p>NEAR/AT: Dog Creek</p> <p>DATE: 9-20-2005</p>
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PURPOSE: Restore flow to culvert.

DATUM:

ADJACENT PROPERTY OWNERS:

1. USFS
2. WA DNR

APPLICANT: BNSF Railway

LOCATION ADDRESS:

SR 14 MP 55.72

NE Sec. 33, T3N, R9E

Lat: N 45° 42' 36" Long: W 121° 40' 12"

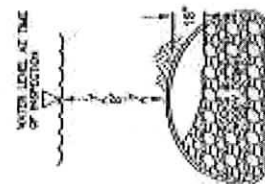
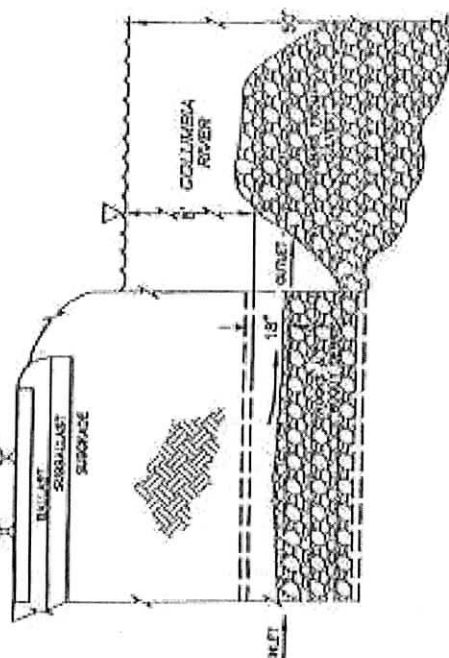
PROPOSED: Dredge 1500 to 2000 cubic rock, gravel, and sediment from bar in front of culvert and redeposit material downstream.

IN: Columbia River

NEAR/AT: Dog Creek

DATE: 9-20-2005

B ————— B'



OUTLET

SHEET 4 OF 4





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: October 26, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501107 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600